

INTERVIEW OF MARK NEEL

Legend:

[ui] unintelligible

Agent: Today's date is November 13, the time is 1:32 in the morning. This is an interview regarding an alien smuggling case until Title 8 section, U.S.C. § 1324 Defendant's name is Mark Allen Neel. N-e-e-l. Witnessing this interview will be Officer [Panteel Manchuca sp?]

Agent: Have a seat in the black chair please. Is it ok if I call you Mark?

Neel: Yes sir.

Agent: My name is officer Velasquez and this is Officer Pantel Manchuca and we would like to interview you regarding the incident regarding your apprehension yesterday. Before we do so I need to advise you of your rights. Ok?

Neel: Yes sir.

Agent. Alright. At this time I am placing you under arrest under Title 8 section, U.S.C. § 1324 which is alien smuggling. Do you understand that?

Neel: Yes sir.

Agent: Before we ask you any questions you must understand your rights. You have the right to remain silent. Do you understand that?

Neel: Yes sir.

Agent: Any thing you say can be used against you in a court or in any Immigration or any administrative proceeding. Do you understand that?

Neel: (slowly is nodding head)

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Agent: Is that a yes?

Neel: Yes sir.

Agent: Ok. You have a right to talk to a lawyer for advice before we ask you any questions and to have him with you during questioning. Do you understand that right?

Neel: Yes sir.

Agent: Ok. If you cannot afford a lawyer, one will be appointed for you before any questioning if you wish. Do you understand?

Neel: Yes.

Agent: If you decide to answer questions now without a lawyer present you still have the right to stop answering at any time.

Neel: Yes sir.

Agent: Ok. You also have a right to stop answering at any time until you talk to a lawyer.

Neel: Yes sir.

Agent: Do you have any questions about your rights?

Neel: No sir.

Agent: Your place of work sir?

Neel: Tacoma, Washington.

Agent: Do you have an address?

Neel: Yes, xxxxxxxxxxxxxx, San Diego, California 92101.

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Agent: Is this a home or apartment?

Neel: It's an apartment.

Agent: It's an apartment? Do you know the apartment number?

Neel: Um, 111.

Agent: 111. Are you married sir?

Neel: No.

Agent: Single, divorced?

Neel: Divorced.

Agent: Do you have any children under the age of 18?

Neel: No sir.

Agent: Your father's name please.

Neel: Francis Joseph Neel.

Agent: Is he a citizen of the United States?

Neel: A dead one.

Agent: Do you recall at what age he died?

Neel: No.

Agent: No? Ok. Your mother's name please?

Neel: Berneda. You want name?

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Agent: Berneda?

Neel: Ya.

Agent: Her last name if its...

Neel: Martin.....Berneda Helena Martin.

Agent: Martin. Was she a United States citizen?

Neel: Yes.

Agent: Are you employed sir?

Neel: No.

Agent: How long have you been unemployed?

Neel: December 7, 2005.

Agent: Ok, do you know your social security number?

Neel: xxx-xx-xxxx.

Agent: Do you know your drivers license number?

Neel: xxxxxxxx.

Agent: Do you recall what State?

Neel: Texas.

Agent: From Texas? Thank you. Your height sir?

Neel: 6'4, 210 pounds

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Agent: 210 pounds, grey hair or is that blonde? What would you consider...

Neel: Grey [ui]

Agent: Color eyes sir?

Neel: Blue.

Agent: Do you have any scars, marks, tattoos?

Neel: Yes.

Agent: Any scars? Where do you have your scars?

Neel: Right there [*pointed to underneath right eye*], belly.

Agent: And you have tattoos on the left arm and right hand?

Neel: Left shoulder and back [ui] do you mind if I put this on? [*putting on his jacket*]

Agent: No. Do you have a name for emergency contact in case?

Neel: Berneda Martin.

Agent: And this is your mother?

Neel: Yes.

Agent: And her phone number please?

Neel: (xxx)xxx-xxxx.

Agent: [ui] ok Mr. Neel what's going on today, why are you here sir?

Neel: [ui] Illegal smuggling I believe.

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Agent: Are you aware of what you were smuggling?.

Neel: Yes sir.

Agent: What were you smuggling sir ?

Neel: Gentlemen

Agent: A male alien?

Neel: (nods his head yes)

Agent: Where were you taking this person?

Neel: uh not sure.

Agent: Were you present when this person was concealed?

Neel: No sir.

Agent: How did you get involved in this sir.

Neel: Met him down in T.J. needed money

Agent: You met who in T.J.?

Neel: A certain person. I don't know his name, but I can tell you what he looks like.

Agent: Ok, is this a Hispanic male?

Neel: Yes. Offered me this job, needed the money.

Agent: Ok, do you recall when this offer occurred?

Neel: Saturday around 5:00 evening.

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Agent: And you were in Tijuana, do you recall where in Tijuana you were?

Neel: Uh I think it was somewhere like Revolucion or something like that.

Agent: Ok, it's safe to say downtown Tijuana? Ok. This Hispanic male.. what did he tell you?

Neel: Explain the deal about doing this a paying [ui] is quick money.

Agent: Ok, how much was he going to pay you?

Neel: I don't know. [ui]

Agent: None of the payment options were discussed?

Neel: No.

Agent: Ok..was this male by himself? or was he coming with someone else?

Neel: By himself.

Agent: So this happened on a Saturday afternoon? How long have you been in Mexico or in Tijuana?

Neel: About a hour.

Agent: This happened on Saturday this past weekend, correct? Today is Tuesday you've been in Tijuana....

Neel: [ui] oh ... I thought before this occurred.

Agent: How long have you been in Tijuana?

Neel: Since last Saturday.

Agent: Where did you stay during this time?

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Neel: Couldn't tell ya, T.J.

Agent: Just Tijuana? So this person offered you this job right? On today's occasion you are a passenger in this vehicle? Is that correct?

Neel: Yes.

Agent: How are you related to the driver of the vehicle?

Neel: Common law.

Agent: Common law wife?

Neel: Marriage.

Agent: How long...Laurie Stauffer? And she is your common law wife? of how may years?

Neel: Just a couple months. She uses my name and automatically makes her common law [ui].

Agent: For how long? For a few months you say, can you be more specific?

Neel: Two months. Was Laurie present when this arrangements...

Neel: Don't know.

Agent: You don't' know. Ok, Did Laurie.... was she aware of what was going on?

Neel: I don't know.

Agent: You don't know. Ok, so this went down on Sat evening, tell me about last night?

Neel: We sat and watched t.v. and that's it.

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Agent: So you watching t.v. where?

Neel: In T.J.

Agent: In T.J. is this at a hotel? at a house?

Neel: A room.

Agent: Did this room belong to a house?

Neel: [ui]

Agent: Ok, I'm assuming you are there with Laurie.

Neel: Yes.

Agent: Ok, and so what happens?

Neel: We watch t.v. and yada yada yada yada.

Agent: So this Hispanic male came back and told you guys it's ready to go or who told you ...how did you wind up in the vehicle as a passenger in the vehicle?

Neel: I got in the car.

Agent: Ok, Let me ask you, were you present in the vehicle when this male alien was concealed?

Neel: [*head nodding no*]

Agent: You weren't present when he was concealed? How did you know it was a male alien?

Neel: Cuz I seen him in the tank.

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Agent: You saw him in the tank?

Neel: I guess he recognized me.

Agent: How did you see him in the tank?

Neel: [ui] and who he is I don't know...
What he looks like I can't tell you.

Agent: So the gas tank, you refer to as the tank, I am assuming we are talking about the gas tank correct?

Neel: No, the cell.

Agent: The cell? Ok... and you were in the cell with this person who was concealed?

Neel: Yes.

Agent: Is this the person?

Neel: It is worthless to even ask me...I can't see.

Agent: Ok. What is that person wearing? What type of clothing?

Neel: I don't know.

Agent: You don't know. Ok. Well, I don't think it's the person in the cell with you, we wouldn't place people associated in the case with each other so that's your statement that's fine. Ok, so you are a passenger in this vehicle and you are coming in to the port of entry and you are waiting in line to cross, did the officer ask you any questions?

Neel: Yeah, if we were bringing anything in.

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Agent: Ok, did you make any statements to the officer or did your wife make any statements?

Neel: She did, she did all the talking.

Agent: Ok, what did she tell the officer?

Neel: [ui] I don't think she is going to say illegal alien,

Agent: Alright. Was she aware that there was an illegal alien inside the vehicle?

Neel: I'm not sure, don't know.

Agent: Were you aware there was an illegal alien inside the vehicle?

Neel: Yes, I did.

Agent: So the officer asks your wife what you guys were bringing from Mexico and she says nothing right? So where were you guys going?

Neel: San Diego.

Agent: Where in San Diego? You don't know?

Neel: Good question.

Agent: Ok, so she is in possession of this vehicle and you guys are driving across the border heading to San Diego. Obviously, the vehicle does not belong to either of you that correct?

Neel: Right.

Agent: So where were you going to take this vehicle to?

Neel: I don't know.

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Agent: Ok, were you following another vehicle, where you given a cell phone to contact somebody or you aware of any of those?

Neel: [*Nodding no*] I was just the passenger.

Agent: Are you aware that bringing in undocumented aliens into the United States is against the law sir?

Neel: [*laughs and nods yes at the same time*]

Agent: Have you participated in any previous [ui]

Neel: No.

Agent: And you don't know how much you were getting paid for this act?

Neel: No sir.

Agent: Ok, basically, you said you were aware it was one male alien in the vehicle on Saturday evening at 5:00 p.m. A Hispanic male approached you with an opportunity to make some money driving [ui] in possession of vehicle containing contraband right? You said that Laurie is your common law wife of 2 months, you stated you were not present when the alien was concealed in the vehicle. You said you were going to San Diego no exact destination. You had no other [ui] or information about the [ui] is that correct? You stated that you have never participated in other previous smuggling acts? Is there anything else you want to add to your statement sir?

Neel: [*Nods no*]

Agent: Do you have any questions as to what is going to happen?

Neel: Ya, that's it? What's going to happen?

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Agent: Ok, you are going to be transported later today to MCC San Diego, it's the Metropolitan Correctional Center, I'm the officer processing your case, you will be assigned a public defender at that time, if you can't afford a lawyer, the case will be presented in court tomorrow. Alright that's as much as I know that's as much information I have in regards to what I personally do.

Neel: So we have no bail?

Agent: That is something you can discuss with your public defender, I don't know.

Neel: Well you know these cases, this can't be your first one.

Agent: It's not my first one.

Neel: If there is bail or not, if I can call up my lawyer and ...

Agent: I'm sure there is bail available to you, I just don't know the exact amount because I don't establish those guidelines.

Neel: Ok....phone call?

Agent: Sure. Would you like a phone call?

Neel: [ui] come and get my ass out of here.

Agent: Ok, you will be able to contact your lawyer through MCC San Diego.

Neel: Is she going with me?

Agent: She will be going to MCC San Diego as well.

Neel: We will be staying here until court?

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Agent: That is correct until your case is in court. Like I said, you will be assigned a public defender if you can not afford one and that's about it. That is much information as I have that I can provide to you, then you will be asked what you plea is..how you plea? Then two routes, guilty or not guilty. If you state not guilty, then we will go though the whole trial. If you want to take another route that is up to you along with counsel from your public defender and that's about it. You will be transported today, I don't know exactly what time. But I will be here processing the case doing all the paper work. And that as much information as I have for you at this time. Any other questions?

Neel: Would it be possible to see if she is ok?

Agent: She is ok, I just interviewed her right now. Both of us interviewed her. We started your interview at 1:30 a.m. so I would say I think I ended the interview around 1:15 ...1:17 a.m. in the morning, so I just spoke to her and she is doing ok, she is here with you, she is in the same area [unit] obviously she can not be in the same cell.

Neel: I understand.

Agent: She is here she is ok, she will be going to MCC.

Neel: This is just for court, not for detention.

Agent: This is just for court, you are being charged in a criminal matter alright, right now you are under arrest, we are going to transport you over to MCC San Diego, this is just for the initial intaking of court, and I don't know what is going to happen after ward.

Neel: You have like any educated guess ...what happens...is it like a time served kind of thing?

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Agent: That's all up to your public defender. No...I can't give you a definite answer, because I don't know. I don't want to give you any false information. I don't know..plain and simple. Those are all questions you can give your public defender.

Neel: I am good

Agent: Any other questions?

Neel: I'm good.

Agent: Ok, we are going to end your interview at 1:55 in the morning, we are going to place you back in the cell. I will work up all the paperwork and you will be transported later on today along with Laurie. Try to get some rest.

End of interview